

REMARKS

This Amendment is responsive to the Office Action dated April 4, 2005. Claims 1-36 were pending in the application. In the Office Action, claims 1-36 were rejected. In this Amendment, claims 5, 13, 23 and 31 were canceled, and claims 1-4, 6-12, 14-19, 21, 24, 26, 27, 29, 32, 35 and 36 were amended. Claims 1-4, 6-12, 14-22, 24-30 and 32-36 thus remain for consideration.

Applicant submit that claims 1-4, 6-12, 14-22, 24-30 and 32-36 are in condition for allowance and requests withdrawal of the rejections in light of the following remarks.

§112 Rejections

Claims 1-19 were rejected under 35 U.S.C. §112, first paragraph, as based on a disclosure which is not enabling.

Claims 6, 14, 24 and 32 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 5 and 13 have been canceled, thereby rendering their rejections moot.

Applicant submits that the amendments to claims 1-4, 6-12, 14-19, 24, 27 and 32 render claims 1-4, 6-12, 14-19, 24 and 32 compliant with §112, and therefore requests that the rejections under §112 be withdrawn.

§102 and §103 Rejections

Claims 1-3, 5-11, 13-18, 19-21, 23-29 and 31-36 were rejected under 35 U.S.C. §102(b) as being anticipated by Marshall et al. (U.S. Patent No. 4,933,969).

Claims 4, 12, 22 and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Marshall in view of Campardo et al. (European Patent Pub. EP 0926601).

Claims 5, 13, 23 and 31 have been canceled, thereby rendering their rejections moot.

Applicant submits that the independent claims, claims 1, 8, 9, 17, 18, 19, 26, 27, 35 and 36, are patentable over Marshall and Campardo.

The independent claims are directed toward a data apparatus, a data processing method, and a recording medium storing software for performing the data processing method. Each of the claims recites that a verifying value is generated for each category of a plurality of categories of contents data, and that the verifying values can be used to determine whether or not there has been any tampering with the contents data.

Neither Marshall nor Campardo discloses generating a verifying value for each category of a plurality of categories of contents data.

Regarding the Marshall reference, the Examiner asserts that Marshall "discloses wherein a plurality of verifying values are independently generated and stored in association with respective categories of contents data (Marshall: column 2 lines 25-47)." (Office Action, part 12). However, a detailed review of the cited portion of Marshall reveals that Marshall does not disclose generating verifying values for respective categories of contents data. More specifically, Marshall discloses generating "block MACs" (block message authentication codes) for blocks of messages and generating a "global MAC" for a multiple of blocks, but does not disclose that the messages in a block are categorically related or that the messages corresponding to the global MAC are categorically related. Thus, even if Marshall's MACs were said to be equivalent to Applicant's verifying values, Marshall does not disclose generating verifying values corresponding to respective categories of contents data.

Since neither Marshall nor Campardo discloses generating a verifying value for each category of a plurality of categories of contents data, Applicant believes that claims 1, 8, 9, 17, 18, 19, 26, 27, 35 and 36, are patentable over Marshall and Campardo - taken either alone or in combination.

Further, since dependent claims inherit the limitations of their respective base claims, Applicant believes that dependent claims 2-4, 6, 7, 10-12, 14-16, 20-22, 24, 25, 28-30 and 32-34 are patentable over Marshall and Campardo for at

least the same reasons discussed in connection with claims 1, 8, 9, 17, 18, 19, 26, 27, 35 and 36.

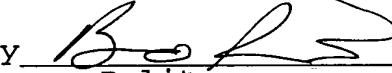
As it is believed that all of the rejections set forth in the Official Action have been fully addressed, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to discuss any additional objections which he/she might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

The Examiner's consideration of this matter is gratefully acknowledged.

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Respectfully submitted,

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